

Amendments to the Drawings

The attached sheets of drawings include changes to Figs. 5 and 9 and replace the original sheets including Figs. 5 and 9. In Fig. 5, reference characters 20m and 20n are added to indicate a respective narrower width 20m and wider width 20n of gusset 20. In Fig. 9, reference characters 21b and 21c are added to indicate openings 21c in lower undersurfaces 21b of gusset 20, and reference characters 21d and 21e are added to indicate openings 21e in top surfaces 21d of gusset 20.

Attachments: Replacement Sheets (2)
 Annotated Sheets showing Changes (2)

Remarks/Arguments

Reconsideration of this application is requested.

Extension of Time

A request for a three month extension of the period for response to the office action mailed on October 3, 2005 is enclosed. The extended period for response expires on April 3, 2006.

Claim Status

Claims 1-20 were presented. Claim 20, which is withdrawn as a result of the previous restriction requirement and election of claim 1-19, is canceled without prejudice. Claims 1 and 14 are also canceled, without prejudice. Claims 2-4, 8-10, 12 and 15-17 are amended. Thus, claims 2-13 and 15-19 are now pending.

Drawing Objections

The drawings are objected to. First, the Action asserts that "an opening on an undersurface of the lower gusset" (claims 5, 6, 18 and 19) and an "opening on a top surface of the upper gusset" (claims 6 and 19) must be identified in the drawings. In response, applicant submits that these features are shown and described in both the drawings and specification. Reference is made to Fig. 9, which illustrates gusset 20 (which is a component of head pipe unit 21) defined by sidewalls 21a. Both the upper and lower portions of gusset 20 (i.e. the upper and lower gussets) are clearly open at their upper and lower surfaces. As described in paragraph [0056], there is an opening on the undersurface of lower gusset 20 that is closed by connecting wall 30a of down frame member 30. Similarly, as described in paragraph [0059], there is an opening at the top surface of gusset 20 that is closed by connecting wall 31a of tank rail member 31.

Reference characters are added to Fig. 9, and to paragraphs [0056] and [0059], to clarify this feature. The undersurfaces of gusset 20 are designated 21b and the opening at undersurfaces 21b is designated 21c. The top surfaces of gusset 20 are designated 21d and the opening at top surfaces 21d is designated 21e.

Next, the Action asserts that the gussets “widening in a rearward manner” cannot be ascertained (claims 2, 4, 12, 15-17). In response, applicant submits that this feature is shown and described in both the drawings and specification. As described in paragraph [0047] of the specification, gussets 20 widen to the rear of the vehicle from the head pipe 7. This claimed feature is clearly seen in applicant’s Figs. 1-6, where gussets 20 extend rearwardly from head pipe 7 and become wider as they extend rearwardly. It is clear, for example, that a more rearward portion of gusset 20, such as a portion of gusset 20 adjacent tension pipe 20b, is wider than a less rearward portion of gusset 20, such as a portion of gusset 20 adjacent head pipe 7. Thus, Figs. 1-6 show that the gussets widen in a rearward manner.

In order to clarify this feature, Fig. 5 of the drawings is amended to indicate that gussets 20 have a narrower width 20m adjacent head pipe 7 and a wider width 20n as gussets 20 extend rearwardly from head pipe 7. Paragraph [0047] of the specification is similarly amended for consistency. In addition, the claims are amended to clarify that the gussets widen “...in a rearward manner *from the head pipe...*”.

Claim Rejections – 35 USC 112

Claims 1-19 are rejected under 35 USC 112, second paragraph, as indefinite.

In claims 1 and 14, the Action asserts that “the sidewalls creating spaces opened outward in cross-section” is unclear. Applicant’s Fig. 9 clearly shows sidewalls 30b joined by connecting wall 30a and defining a space that opens outward from the connecting wall. In order to clarify this feature, claims 1 and 14 (which are canceled, but as incorporated into claims 2-4, 8, 12 and 15-17) are amended to recite “...the sidewalls *and connecting wall* creating a space opened outward in cross-section...”.

In claims 2-4, 12 and 15-17, the Action asserts that “widening in a rearward manner” is not apparent from the drawings. This feature is clarified in the discussion of the drawings, above, and clarifying reference characters are added to

Fig. 5. In addition, the claims are clarified to recite "...widening in a rearward manner *from the headpipe...*".

In claims 6 and 19, the Action asserts that "the head pipe unit has openings with each opening on a top surface of the upper gusset, and an undersurface of the lower gusset" is unclear because the "reinforcing members 31, 30d" appear to have these features. As discussed above with reference to the drawing objections, the upper and lower gussets do have the recited openings and reference characters are added to Fig. 9 for clarification. With respect to the Examiner's comment that these features appear to be a part of members 31 and 30, applicant notes that the side and connecting walls of members 31 and 30 do define spaces (as discussed with reference to claim 1), however, the top and lower surfaces of gusset 20 also define openings, as recited in claims 6 and 19.

In claims 7 and 10, the Action asserts that "connecting portion" cannot be identified. Applicant traverses this rejection. As recited in claims 7 and 10, paragraph [0049] states that an angular tension pipe (connecting portion) 20b is formed integrally with the upper and lower gussets 20 (which are a part of the head pipe unit 21) to connect their rear portions to each other. Connecting portion 20b is clearly illustrated in Figs. 2-6. Thus, applicant submits that claims 7 and 10 are clear and in compliance with 35 USC 112, second paragraph.

In claims 9-11, the Action asserts that "an interval in the width direction" is unclear, and that "the external face facing the inner/outer side in a width direction is unclear". Claims 9-11 are directed to the structure of left and right rear arm brackets 10. Lower half portions 10c of brackets 10 extend upward from left and right down tubes 22 *in the longitudinal direction*, i.e., when the body frame is viewed from the side as presented in Fig. 1. Upper half portions 10d of brackets 10 extend obliquely inward *in the width direction*, i.e., when the body frame is viewed from the front or rear as presented in Fig. 13. As can be seen in Fig. 13, upper half portions 10d extend from the top of lower half portions 10c, obliquely inwardly, to the rear end of tank rail 31, which is positioned in the center of the width direction.

Brackets 10 include a connecting wall 10e configured, in various portions, so that its external face C faces either inward or outward. In lower half portion 10e, external face C faces outward. In the lower portion of upper half portion 10d, external face C of connecting wall 10e faces inward, while in the upper portion adjacent tank rail 31, the external face C again faces outward.

Claims 9 and 10 are amended to clarify this claimed structure, and are now in full compliance with 35 USC 112.

In view of the above amendments, applicant submits that claims 2-13 and 15-19 are now in full compliance with 35 USC 112.

Allowable Subject Matter

The Action indicates that claims 2-13 and 15-19 are allowable if rewritten in independent form and to resolve all issues under 35 USC 112. As discussed above, claims 2-13 and 15-19 have been amended to resolve all outstanding rejections under 35 USC 112.

Claims 2-4, 8 and 12, each of which depends directly from claim 1, are rewritten in independent form to include all limitations of claim 1. Claims 5-7, 9-11 and 13 depend, respectively, from claims 2-4, 8 and 12. Accordingly, applicant submits that claims 2-13 are now in condition for allowance.

Claims 15-17, each of which depends directly from claim 14, are rewritten in independent form to include all limitations of claim 14. Claims 18 and 19 depend from claims 15 and 17. Accordingly, applicant submits that claims 15-19 are now in condition for allowance.

Claim Rejections – 35 USC 102

Claims 1 and 14 are rejected under 35 USC 102(b) as anticipated by Tsukahara (US 5,353,888). In response, claims 1 and 14 are canceled without prejudice.

Conclusion

This application is now believed to be in condition for allowance. The examiner is invited to telephone the undersigned to resolve any issues that remain

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after entry of this amendment. Any fees due with this response may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: April 3, 2006

By: 

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